

REMARKS

Reconsideration of the application is respectfully requested.

Pending Claims

Claim 2 has been canceled without prejudice or disclaimer. Claim 1 has been amended for clarification and to further recite that the parting zone(s) crosses over the back face side sheet from one edge to another edge. Support for this amendment is found in the specification at, for example, page 5, lines 4-12; page 16, line 24-page 17, line 6; and Figs. 2-7. Claim 10 has been amended for clarification and to depend from claim 1. Support for this amendment is found in the specification at, for example, page 3, line 26-page 4, line 1 and original claim 10. Claims 3, 9, 12, and 17 have been amended to modify dependencies from canceled claim 2 and correct informalities. Support for these amendments is found in the claims as originally filed.

Claims 1 and 3-22 are pending. No new matter has been added.

Claim Objections

Claims 3, 10, and 12 have been objected to for informalities. Claims 3 and 12 have been amended as suggested by the Examiner. Claim 10 has been amended to correct the language of the preamble. According, Applicants submit that the objections have been addressed and request that they be withdrawn.

Claim Rejections under 35 U.S.C. § 102

Claims 1-7, 9, 12-16, and 20-22 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Osborn, III et al. (U.S. Patent No. 5,885,265)(“the ‘265 patent”). According to the Examiner, the ‘265 patent teaches an interlabial pad having a parting zone that is parted by the action of water. Claim 2 has been canceled, making its rejection moot.

Without conceding the validity of the rejection, claim 1 has been amended to recite that there is at least one parting zone on the cover body of the interlabial pad and “the at least one parting zone crosses over the back face side sheet from an edge to another edge of the back face side sheet.” In contrast, the ‘265 patent teaches joining a topsheet 28 and backsheets 30 with water soluble adhesive 24 around the periphery of the interlabial pad so that the components of the pad separate when the pad is exposed to water. Col. 16, lines 57-59; col. 2, lines 31-37; and Fig. 2. The ‘265 patent does not teach or suggest parting zones crossing over the back face side sheet from one edge to another.

Accordingly, claim 1 is novel over the ‘265 patent for the aforementioned reason. Claims 3-7, 9, 12-16, and 20-22 depend from claim 1 and are novel for at least the same reason. Applicants respectfully request that the rejection be withdrawn.

Furthermore, there is no suggestion in the ‘265 patent that the backsheets can be comprised of separable sheet pieces that disperse in water. It merely teaches a method for joining previously known interlabial pad components with a water soluble adhesive. One of ordinary skill in the art would not be motivated by its teaching to modify the pad to have the novel structure of the present invention where the back side sheet has a plurality of sheet pieces that separate in water.

Claims 10 and 11 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Osborn, III (WO 99/26573 A1)(“the ‘573 publication”).

Claim 10 has been amended to incorporate the interlabial pad according to claim 1, which, as argued above, is novel in that it requires parting zones crossing over the back face side sheet from one edge to another. Claim 10 further comprises a packaging sheet having parting zones so that the packaging sheet also separates when discarded in a toilet. The ‘573 publication does not teach or suggest this combination that includes an interlabial pad having parting zones crossing over the back face side sheet and a packaging sheet that separates into a plurality of pieces when discarded in a toilet. Accordingly, claim 10 and dependent claim 11 are novel over the ‘573 publication. Applicants respectfully request that the rejection be withdrawn.

Claim Rejections under 35 U.S.C. § 103

Claims 8 and 17-19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the '265 patent in view of the '573 publication.

As argued above, Applicants submit that the amendment to claim 1 renders it novel and patentable over the '265 patent. The '573 publication is silent regarding parting zones in the interlabial pad and, therefore, does not cure the deficiency of the '265 patent in teaching parting zones crossing over the back face side sheet from one edge to another. Claims 8 and 17-19 depend from claim 1 and are allowable for at least the same reasons. Accordingly, Applicants respectfully request that the rejection be withdrawn.

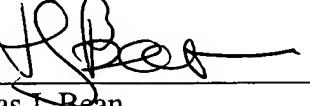
CONCLUSION

In view of the above amendments and remarks, Applicants believe the pending application is in condition for allowance and respectfully request that all pending claims be allowed.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: April 5, 2006

Respectfully submitted,

By 
Thomas J. Bean

Registration No.: 44,528
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant